

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA


v.

TYRICE L. ROGERS

) No. **07CR 745**
)
) Magistrate Judge
) Nan R. Nolan

AFFIDAVIT OF INDICTMENT IN REMOVAL PROCEEDING

I, Deputy United States Marshal George Peters, personally appearing before United States Magistrate Judge Nan R. Nolan and being duly sworn on oath, state that as a federal law enforcement officer I have been informed that a warrant for the arrest of TYRICE L. ROGERS has been issued pursuant to the order of United States District Magistrate Judge Jon Stuart Scoles, Northern District of Iowa. I have been informed that this warrant was issued in Cedar Rapids, Iowa on October 25, 2007 in the case of United States v. TYRICE L. ROGERS, CR07-1022 (Northern District of Iowa) was charged by indictment for the offenses of possession with intent to distribute crack cocaine within 1000 feet of an elementary school, possession of a firearm in relation to a drug trafficking crime, possession of a firearm by a person previously convicted of domestic violence, and possession of an obliterated shotgun in violation of Title 21 United States Code Sections 841(a) and 860; Title 18 United States Code Sections 924 and 922; and title 26 United States Code Sections 5845 and 5861.

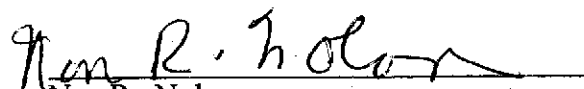

George Peters
Deputy U.S. Marshal

SUBSCRIBED AND SWORN to before me
this 13th day of November, 2007.

FILED

NOV 13 2007

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**


Nan R. Nolan
United States Magistrate Judge

CAAD 442 (Rev. 10/03) Warrant for Arrest

RECEIVED
U.S. MARSHAL

UNITED STATES DISTRICT COURT

NORTHERN District of IOWA

07 OCT 25 AM 9:54

UNITED STATES OF AMERICA

V.

TYRICE L. ROGERS

N/IA
CEDAR RAPIDS
WARRANT FOR ARREST

Case Number: CR07-1022

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

Tyrice L. Rogers

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☒ Indictment
 ☐ Information
 ☐ Complaint
 ☐ Order of court
 ☐ Probation Violation Petition
 ☐ Supervised Release Violation Petition
 ☐ Violation Notice

charging him or her with (brief description of offense)

Possession with intent to distribute crack cocaine within 1000 feet of an elementary school, possession of firearm in relation to drug trafficking crime, possession of firearm by person previously convicted of domestic violence, possession of obliterated shotgun

in violation of Title 21

United States Code, Section(s) 841(a)(1) and 860; 18 USC 924, 922; 26 USC 5845, 5861

JON STUART SCOLES

Name of Issuing Officer

Signature of Issuing Officer

MAGISTRATE JUDGE, NORTHERN DISTRICT OF IOWA

Title of Issuing Officer

10-27-07 Cedar Rapids, Iowa

Date and Location

RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN-DUBUQUE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TYRICE L. ROGERS,

Defendant.

No. CR 07-1022

COUNT 1:

21 U.S.C. §§ 841(a)(1) and 860

COUNT 2:

18 U.S.C. § 924(c)(1)

COUNT 3:

18 U.S.C. §§ 922(g)(3) and (g)(9)

COUNT 4:

26 U.S.C. §§ 5845(a), 5861(d), and
5871

FORFEITURE ALLEGATION

INDICTMENT

The Grand Jury charges:

COUNT 1

On or about February 15, 2007, in the Northern District of Iowa, defendant TYRICE L. ROGERS did knowingly and intentionally possess with the intent to distribute approximately 4.9 grams of a mixture or substance containing a detectable amount of cocaine base, more commonly called "crack cocaine," a Schedule II Controlled Substance, within 1,000 feet of real property comprising Fulton Elementary School, located at 2540 Central Avenue, in Dubuque, Iowa.

This in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 860.

I, the undersigned Clerk of the United States District Court for the Northern District of Iowa, do certify that the foregoing is a true copy of an original document remaining on file and record in my office.
WITNESS my hand and seal of said Court
this 24 day of Oct, 2007
By Robert L. Phelps, Clerk
Deputy

PRESENTED IN OPEN COURT
BY THE
FOREMAN OF THE GRAND JURY
IN THE PRESENCE OF THE
GRAND JURY
And filed 10/24/07
ROBERT L. PHELPS, CLERK

COUNT 2

On about February 15, 2007, in the Northern District of Iowa, defendant TYRICE L. ROGERS knowingly possessed firearms, namely, a Colt/Heinie .38 Super caliber semi-automatic handgun, Model 1911, Serial #199904; a Sportarms brand .22 caliber derringer, Model B, Serial #019483; an Iver Johnson .410 gauge single shot shotgun, Serial #7087; and an Ithaca .20 gauge single shot shotgun, Model M66, with serial number obliterated, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States (as charged in Count 1 of this Indictment).

This in violation of Title 18, United States Code, Section 924(c)(1).

COUNT 3

On or about February 15, 2007, in the Northern District of Iowa, TYRICE L. ROGERS, then an unlawful user of controlled substances, and having previously been convicted of one or more misdemeanor crimes of domestic violence, to wit:

On August 4, 2005, TYRICE L. ROGERS was convicted of domestic abuse assault causing injury (domestic abuse) in the Iowa District Court for Dubuque County, No. SRCR65750, in violation of Section 708.2A(2)(b) of the Iowa Code; and

On May 23, 2006, TYRICE L. ROGERS was convicted of domestic abuse assault causing injury (domestic abuse) in the Iowa District Court for Dubuque County, No. SRCR69095, in violation of Sections 708.2A(2)(b) and 708.2A(93)(a) of the Iowa Code,

did knowingly possess, in and affecting commerce, firearms, namely: 1) Colt/Heinie .38 Super caliber semi-automatic handgun, Model 1911, Serial #199904; 2) a Sportarms brand .22 caliber derringer, Model B, Serial #019483; 3) an Iver Johnson .410 gauge single shot shotgun, Serial #7087; and 4) an Ithaca .20 gauge single shot shotgun, Model M66, with serial number obliterated.

This in violation of Title 18, United States Code, Sections 922(g)(3) and (g)(9).

COUNT 4

On or about February 15, 2007, in the Northern District of Iowa, defendant TYRICE L. ROGERS knowingly possessed a firearm not registered to him in the National Firearms Registration and Transfer Record, an Ithaca .20 gauge single-shot shotgun, Model M86, with a barrel of less than 18 inches in length and an overall length of less than 26 inches.

This in violation of Title 26, United States Code, Sections 5845(a), 5861(d), and 5871.

FORFEITURE ALLEGATION

By virtue of having committed the acts specified in Counts 2, 3, and 4, of this Indictment, defendant TYRICE L. ROGERS shall forfeit to the United States any firearms and ammunition involved in or used in the knowing violation of Title 18, United States Code, Sections 923(g)(3), 923 (g)(9), and 924(c), and Title 26, United States Code, Sections 5845(a), 5861(d), and 5871, including but not limited to the firearms listed above.

This pursuant to Title 26, United States Code, Section 5872.

A TRUE BILL

151
Foreperson

10/24/07
Date

MATT M. DUMMERMUTH
United States Attorney

By: Daniel C. Tvedt

DANIEL C. TVEDT
Assistant United States Attorney